

Notice of Allowability

Application No.

10/646,079

Applicant(s)

BARR ET AL.

Examiner

Nitin C. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/27/06.
2. ☒ The allowed claim(s) is/are 1 - 19, 21 - 46, and 48 - 54.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>11/28/06</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>10/27/06</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. This is in responsive to amendment filed on 27 October 2006.
2. Claims 20, and 47 have been cancelled.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 27 October 2006 was filed after the mailing date of the first office action mailed on 7 August 2006. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Michael G. Verga [reg. # 39,410] on 28 November 2006.

The application has been amended as follows:

In the claims:

4. Please amend the claims 29 – 34, 38 – 41, and 45 – 46 as follows:

In claim 29:

On line 1, replace "27" with ---28---

In claim 30:

On line 1, replace "27" with ---28---

In claim 31:

On line 1, replace "27" with ---28---

In claim 32:

On line 1, replace "27" with ---28---

In claim 33:

On line 1, replace "27" with ---28---

In claim 34:

On line 1, replace "27" with ---28---

In claim 38:

On line 1, replace "27" with ---28---

In claim 39:

On line 1, replace "27" with ---28---

In claim 40:

On line 1, replace "27" with ---28---

In claim 41:

On line 1, replace "27" with ---28---

5. In claim 45:

On line 1, after the words "frequency calculator" inserts the word---is---

On line 2, replace the words "bases the" with ---configured---

On line 2, replace the word "selecting" with ---select---

On line 2, after the word "clock frequency" inserts the word---based---

6. In claim 46:

On line 1, after the words "frequency calculator" inserts the word---is---

On line 2, replace the words "bases the" with ---configured---

On line 2, replace the word "selecting" with ---select---

On line 2, after the word "clock frequency" inserts the word---based---

Reasons For Allowance

7. The following is an examiner's statement of reasons for allowance: With respect to claims 1, 15, and 16, the prior art fails to disclose or suggest "the method of determining and automatically selecting a clock frequency for an electronic device based at least on information related to power consumption and/or heat dissipation characteristics of the electronic devices installed and information regarding power consumption and/or heat dissipation budget for the system, and generating a clock signal for the electronic devices in accordance with selected clock frequency", "a computer-readable medium storing computer-executable instructions for determining and automatically selecting a clock frequency for the electronic device based at least on information regarding power consumption and/or heat dissipation characteristics of the electronic devices installed and information regarding power consumption and/or heat dissipation budget for the system, and generating a clock signal for the electronic devices in accordance with selected clock frequency", and "a frequency manger for determining and a frequency calculator configured to automatically select a clock frequency for the electronic device based at least on information regarding power consumption and/or heat dissipation characteristics of the electronic devices installed and information regarding power consumption and/or heat dissipation budget for the

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system, and a clock signal generator to generate a clock signals at the clock frequency selected by frequency calculator” respectively. Claims 2 – 14, 16 – 19, and 21 – 27 depend from claims 1, and 16 respectively, and likewise are allowable.

With respect to claims 28, 42, and 43, the prior art fails to disclose or suggest “the method for determining and automatically selecting a first clock frequency for the first electronic device and a second clock frequency for second electronic device based at least on information regarding power consumption and/or heat dissipation characteristics of the first and second electronic devices installed and information regarding power consumption and/or heat dissipation budget for the system, and generating a clock signal for the first and second electronic devices in accordance with selected clock frequency”, “a computer-readable medium storing computer-executable instructions for determining and automatically selecting a first clock frequency for the first electronic device and a second clock frequency for second electronic device based at least on information regarding power consumption and/or heat dissipation characteristics of the first and second electronic devices installed and information regarding power consumption and/or heat dissipation budget for the system, and generating a clock signal for the first and second electronic devices in accordance with selected clock frequency”, and “a frequency manger including a frequency calculator determining and automatically selecting a first clock frequency for the first electronic device and a second clock frequency for second electronic device based at least on information regarding power consumption and/or heat dissipation characteristics of the first and second electronic devices installed and information regarding power

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consumption and/or heat dissipation budget for the system, and a first and second clock generator to generate a clock signals at the clock frequency selected by frequency calculator” respectively. Claims 29 – 41, 44 – 46, and 48 – 54 depend from claims 28, and 43 respectively, and likewise are allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin C. Patel whose telephone number is 571-272-3675. The examiner can normally be reached on 6:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Rehana Perveen can be reached on 571-272-3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

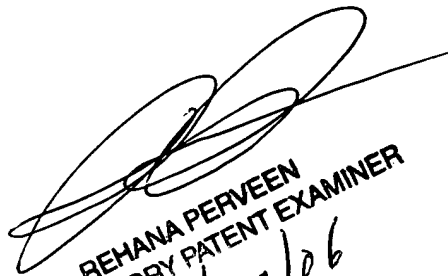
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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nitin C. Patel
November 28, 2006



REHANA PERVEEN
SUPERVISORY PATENT EXAMINER
11/29/06